

# TERRA MARINE ATTORNEYS

## ATTORNEYS/CERTIFIED ARBITRATORS

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**PLEASE REPLY THROUGH THE LAGOS OFFICE**

31 May 2018

J. K. Randle Professional Services,  
X KPMG House,  
One King Ologunkutere Street,  
Park View,  
Ikoyi, Lagos.

**Attention: Bashorun J.K. Randle, FCA; OFR**

Dear Sir:

**Re: Erin Petroleum Nigeria Limited (Previously Known as Camac Petroleum Limited)  
Notice of Appointment of Receiver/Manager**

*In Re: Erin Energy Corporation, et. al. (Debtors), Case No. 18-32186*  
Notice of Chapter 11 Bankruptcy Order of Automatic Stay

*In Re: Erin Petroleum Nigeria Limited v. Creditors Located in Nigeria*  
*Suit No. FHC/L/NRJ/3/2018*

We are Solicitors to and write on behalf of Erin Petroleum Nigeria Limited ("our Client").

Our Client referred to us, your 22 May 2018 letter (but served and received by our Client on 31 May 2018) being of your purported appointment as Receiver/Manager by Zenith Bank Plc. We have our Client's instruction to respond as hereafter stated.

Instructively, on the 1<sup>st</sup> day of May, 2018, the United States Bankruptcy Court for the Southern District of Texas, Houston Division, in the case of *Erin Energy Corporation, et. al. (Debtors), Case No. 18-32186* granted a Chapter 11 Bankruptcy Order of Automatic Stay ("Order") which among other things prohibited your appointment.

On the 24<sup>th</sup> day of May, 2018, the Federal High Court domesticated (by the registration of) the Order.

On the 29<sup>th</sup> day of May, 2018, Zenith Bank Plc ("Zenith") received notice of the Order and the Domestication of same. Rather than respect the Court Orders, Zenith chose to thwart same by purporting to appoint your firm by 22 May 2018.

With respect to the ineffective attempt to evade the applicability of the Order and its domestication by backdating your purported appointment, please be reminded that Section 396 of the Companies and Allied Matters Act, 1990 mandates the immediate notification of your appointment (assuming but not conceding its validity) before it can become effective.

Take notice that your purported appointment which clearly occurred **after** the Automatic Stay Order and its domestication is invalid, null and void and may amount to the violation of the subsisting Orders of the Bankruptcy Court and the Federal High Court.



Accordingly, we have our Client's instruction to advise you to cease and desist from further act of contempt of the subsisting Court orders.

Our Client shall consider your letter of appointment dated May 22, 2018 withdrawn but without prejudice to any further steps including legal and other proceedings it may wish to take to further protect its interest and assets in the circumstance.

Enclosed please find again copies of the subsisting Court orders and we trust you will be duly advised.

We remain,

Very truly yours,  
Terra Marine Attorneys

  
Wuyi Ogunyinka



Encl.  
cc:

1. Through: The Registrar (*without enclosures*)  
The Honorable Justice Hadiza R. Shagari  
Federal High Court,  
Lagos.

Kindly bring to the attention of Her Ladyship.  
Thank you.

  
Wuyi Ogunyinka

2. Through: Okin Adams LLP (*without enclosures*)

Judge Marvin Isgur  
The United States Bankruptcy Court  
for the Southern District of Texas,  
Houston Division.  
*Re: Erin Energy Corporation, et. al. (Debtors),  
Case No. 18-32186*

Kindly bring to the attention of  
the United States Bankruptcy Judge.  
Thank you.

  
Wuyi Ogunyinka

3. Zenith Bank Plc  
Plot 84, Ajose Adeogun Street,  
Victoria Island  
Lagos.
4. Erin Petroleum Nigeria Ltd  
Camac House  
Plot 1649, Olosa Street,  
Victoria, Lagos.